

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition –PJP –GADWAL -Mahabubnagar District – Atmakur (Mandal) Jurala (Village) – O.P.No.538/1994 - Sanction of decretal charges of **Rs.4,68,262/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 238

DATE: 03.04.2009

Read:

From the Spl.Collector, Bheema Project, Mahabubnagar Lr.No.E2/PJP/
64/2008, dated:10.02.2008.

O R D E R:

The Special Collector, Land Acquisition, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.538/94 pertaining to Jurala (V) Atmakur (M) of Mahabubnagar District. The then Special Deputy Collector, LA, PJP, Gadwal had acquired the land to an extent of Ac.76.10 gts in the limits of Jurala (V) of Atmakur (M) was acquired vide Award No.23/1984, dt:28.09.1984 by fixing the market value @Rs.2,800/- per acre for dry lands for the purpose of Excavation of Left Main Canal. Aggrieved with the market value awarded by the LAO the awardees have filed petitions U/s.18(1) of the L.A.Act with a request to refer the matter to the Civil Court for adjudication. The Sr.Civil Judge, Gadwal had delivered the judgment on 27.06.2000 by enhancing the market value from Rs2,800/- to Rs.5,000/- per acre for dry lands. Aggrieved by the orders of the Sr.Civil Judge, Gadwal, the SDC, PJP, Gadwal has filed appeal in the Hon'ble High Court of A.P, Hyd. The Hon'ble High Court of A.P, Hyd has dismissed the appeal filed by the SDC, LA Unit, PJP, Gadwal and enhanced the market value @Rs.13,500/- per acre on 30.12.2005 vide A.S.No.2577/2000 and Claimant is entitled to all the statutory benefits under the amended provisions of the Act including interest on Solatium and Addl.Market Value. In this case, no Interim payments and no final payments made and the claimant was filed E.P.No.119/2003 in the Court of the Sr.Civil Judge, Gadwal for realization of decretal charges.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.4,68,262/- (Rupees Four lakhs sixty eight thousand two hundred and sixty two only)** in respect of O.P.No.538/94 pertaining to Jurala (V) Atmakur (M) of Mahabubnagar District subject to verification whether the reference under section.18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under "4701- SMJH – 01 – Major Irrigation – M.H.122 – Jurala Project G.H.11 – NSP – S.H (27) – Canals and Distribution – 530 – Major works – 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the proposal requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.1042/F2(2)/2009-1, dated 26.03.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, Bheema Project, Mahabubnagar.

The Chief Engineer, MBNR, Jalasoudha Buildings, Erramanzil, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.2968/LA.III(A2)/2009
SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER